

Appl. No. 10/538,840
Amendment dated: September 9, 2009
Reply to OA of: June 9, 2009

REMARKS

This application has been amended in a manner that is believed to place it in condition for allowance at the time of the next Official Action.

Claims 27-35, 38-43, 45, 46, and 48 are pending in the application. Applicants note with appreciation the indication that claims 27-30, 32-35, 38-41, 45, 46, and 48 are allowed. Claims 27-30, 32-34, 35, 38-43, 45, 46, and 48 remain unchanged.

Claim 31 has been amended to further emphasize that the isolated polypeptide is encoded by the nucleic acid sequences "consisting of SEQ ID NO: 1 or 3". Support for this recitation is found in the third full paragraph on page 21 of the specification.

The sole remaining rejection in the application is the rejection of claim 31, as allegedly being indefinite under the second paragraph of 35 USC 112. Applicants believe that the present Amendment overcomes this rejection.

Claim 31 is dependent on claim 27. Claim 27 recites that the "polynucleotide can be isolated from *Trypanosoma congoense* and which comprises one of the nucleic acid sequences selected from the group consisting of SEQ ID NO: 1 and 3". In this regard, the isolated polypeptide of claim 31 must be encoded at in least in part by SEQ ID NO: 1 or 3. Nevertheless, in the interest of advancing prosecution, claim 31 has been amended to recite that "the isolated polypeptide is encoded by the nucleic acid sequence consisting of SEQ ID NO: 1 or 3".

Applicants respectfully request withdrawal of the rejection.

As the present Amendment overcomes all of the pending rejections, Applicants respectfully submit that the present Amendment places the application in condition for allowance. Accordingly, Applicants respectfully request that the Amendment be entered and fully considered at this time.

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In view of the present Amendment and foregoing remarks, therefore, Applicants respectfully request submit that the present application is in condition for allowance.

Respectfully submitted,

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